REMARKS

The amendments to the specification address the issue raised in Item A on page 2 of the Final Office Action mailed March 21, 2005. The specification has been amended at the end of Table 3 to provide the achene color with reference to the employed color chart. Achene color is also shown for the comparison varieties 'Aromas" and 'Diamante' in Table 3. (Achene color was the same for all three varieties.)

Paragraph 15 has been amended to provide the mean number of achenes per berry for Albion.

In view of the amendments to the specification, Applicants have provided all of the additional information required by the Examiner. Applicants therefore respectfully request withdrawal of the rejection of claim 1 under 35 U.S.C. § 112, first and second paragraphs.

Applicants believe that the pending claim in this Application is in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,

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Table 3. Foliar and fruit color characteristics for 'Albion', 'Aromas', and 'Diamante'.

| | Cultivar | | | |
|--------------------------------------|-----------------------|-------------------|----------------------------|--|
| Color Character | 'Aromas' | 'Diamante' | 'Albion' | |
| Leaf color (CIELAB) Adaxial L* | | | | |
| mean range a* | 32.7 31.1-34.2 | 32.4 29.9-35.8 | 32.7 31.5-34.1 | |
| mean range b* | -7.0 -5.88.2 | -8.1 -7.310.2 | -7.4 -6.38.1 | |
| mean range | 11.8 9.6-14.0 | 12.0 9.1-13.9 | 11.7 10.4-13.1 | |
| Munsell | 2.5 GY 3/3 | 10GY 3/2 | 5GY 3/2 | |
| Abaxial L* | | | | |
| mean range a* | 52.3 34.1-52.3 | 50.7 48.3-52.4 | 49.1 48.6-52.1 | |
| mean range b* | -8.3 -6.88.8 | -9.0 -8.49.5 | -8.8 -7.69.2 | |
| mean range | 18.1 13.1-20.1 | 19.1 17.9-21.3 | 19.3 15.7 -2 1.6 | |
| Munsell Fruit color (CIELAB) | 5GY 5/6 7.5 GY 5/7 | 5GY 5/6 | 5GY 5/6 | |
| External L* | | | | |
| mean range a* | 38.1 36.6-41.4 | 43.7 39.5-47.4 | 40.0 34.3-44.8 | |
| mean range b* | 39.3 37.3-41.2 | 41.7 35.0-46.3 | 41.2 34.8-44.2 | |
| mean range | 27.2 21.7-32.9 | 32.1 27.0-35.9 | 28.4 20.9-36.9 | |
| Munsell | 5 R 3/7 | 7.5 R 4/11 | 5R 3/7 | |
| Internal L* | | | | |
| mean range a* | 65.1 56.4-70.6 | 68.3 63.7-71.1 | 63.2 56.3-64.4 | |
| mean | 31.2 | 23.9 | 31.1 | |

Cultivar

| Color Character | 'Aromas' | 'Diamante' | 'Albion' |
|-----------------|-----------|------------|------------|
| range | 13.3-40.3 | 15.5-30.6 | 20.1-35.9 |
| b* | | | |
| mean | 34.5 | 29.2 | 33.1 |
| range | 17.1-41.7 | 20.3-35.9 | 24.0-35.9 |
| Munsell | 5 R 4/12 | 7.5 R 6/12 | 7.5 R 4/11 |
| Achene color | | | |
| Munsell | 7.5 R 3/6 | 7.5 R 3/6 | 7.5 R 3/6 |

^{*}CIELAB is the abbreviation of the international color system known as "Commission Internationale De L' Eclairage" 1978. For recommendations concerning uniform color spaces, color difference equations, and psychometric color terms see Supplement No. 2 of CIE Publication No. 15, Paris.

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Table 3. Foliar and Truit color characteristics for 'Albion', 'Aromas', and 'Diamante'.

| , | Cultivar | | | |
|--|------------|------------|-----------|--|
| Color Character | 'Aromas' | 'Diamante' | 'Albion' | |
| Leaf color (CIELAB) Adaxial L* | | | | |
| mean | 32.7 | 32.4 | 32.7 | |
| range a* | 31.1-34.2 | 29.9-35.8 | 31.5-34.1 | |
| mean | -7.0 | -8.1 | -7.4 | |
| range | -5.88.2 | -7.310.2 | -6.38.1 | |
| b* | 11.0 | 10.0 | 11.5 | |
| mean | 11.8 | 12.0 | 11.7 | |
| range | 9.6-14.0 | 9.1-13.9 | 10.4-13.1 | |
| Munsell | 2.5 GY 3/3 | 10GY 3/2 | 5GY 3/2 | |
| Abaxial L* | | | | |
| mean | 52.3 | 50.7 | 49.1 | |
| range | 34.1-52.3 | 48.3-52.4 | 48.6-52.1 | |
| a* | | | | |
| mean | -8.3 | -9.0 | -8.8 | |
| range | -6.88.8 | -8.49.5 | -7.69.2 | |
| b* | 18.1 | 19.1 | 19.3 | |
| mean range | 13.1-20.1 | 17.9-21.3 | 15.7-21.6 | |
| range | 15.1-20.1 | 17.5-21.5 | 13.7-21.0 | |
| Munsell | 5GY 5/6 | 5GY 5/6 | 5GY 5/6 | |
| The State of the S | 7.5 GY 5/7 | | | |
| Fruit color (CIELAB) External L* | | | | |
| mean | 38.1 | 43.7 | 40.0 | |
| range | 36.6-41.4 | 39.5-47.4 | 34.3-44.8 | |
| a* | | | | |
| mean | 39.3 | 41.7 | 41.2 | |
| range | 37.3-41.2 | 35.0-46.3 | 34.8-44.2 | |
| b* | 27.2 | 22.1 | 20.4 | |
| mean | 27.2 | 32.1 | 28.4 | |
| range | 21.7-32.9 | 27.0-35.9 | 20.9-36.9 | |
| Munsell | 5 R 3/7 | 7.5 R 4/11 | 5R 3/7 | |
| Internal L* | | | | |
| mean | 65.1 | 68.3 | 63.2 | |
| range | 56.4-70.6 | 63.7-71.1 | 56.3-64.4 | |
| a* | 21.6 | •• • | | |
| mean | 31.2 | 23.9 | 31.1 | |

Cultivar

| Color Character | 'Aromas' | 'Diamante' | 'Albion' | |
|----------------------|-------------------|-------------------|-------------------|--|
| range b* | 13.3-40.3 | 15.5-30.6 | 20.1-35.9 | |
| mean range | 34.5 17.1-41.7 | 29.2 20.3-35.9 | 33.1 24.0-35.9 | |
| Munsell | 5 R 4/12 | 7.5 R 6/12 | 7.5 R 4/11 | |
| Achene color Munsell | 7.5 R 3/6 | 7.5 R 3/6 | 7.5 R 3/6 | |

^{*}CIELAB is the abbreviation of the international color system known as "Commission Internationale De L' Eclairage" 1978. For recommendations concerning uniform color spaces, color difference equations, and psychometric color terms see Supplement No. 2 of CIE Publication No. 15, Paris.